

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 13103 of 1997

Between:

Satrabonu lakshmi, W/o. Venkateswaralu,
Hindu, R/o. Buttayagudem Village, & Mandal,
West Godavari District.

..... PETITIONER

AND

- 1 The District Collector,
West Godavari District, Eluru - 534001
- 2 The Revenue Divisional Officer,
Kovvur, West Godavari District.
- 3 The Mandal Revenue Officer,
Buttayagudem Mandal, Buttayagudem West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature or Writ of Mandamus, declaring the action of the respondents as being illegal, arbitrary, unjust and violative of the principles of natural justice in issuing pattas to the 3rd parties over the petitioner's land purchased in patta No. 12 under a registered sale deed vide document No. 589/57 dated. 6-5-1957 situated in Buttayagudem village and Mandal and consequently direct the respondents not to grant pattas to the 3rd parties to the above mentioned land and direct the respondents to deliver physical possession to the petitioner by disposing her appeal dated 22-5-1997 which is pending before the 2nd respondent.

Counsel for the Petitioner:MR.K.VENKATESWARLU

Counsel for the Respondents.: GP FOR REVENUE

The Court made the following :

ORDER:

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This Writ Petition is filed to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents as being illegal, arbitrary, unjust and violative of the principles of natural justice in issuing pattas to the 3rd parties over the petitioner's land purchased in patta No.12 under a registered sale deed vide document No.589/57, dated 6-5-1957 situated in Buttayagudem village and Mandal and consequently direct the respondents not to grant pattas to the 3rd parties to the above mentioned land and direct the respondents to deliver physical possession to the petitioner by disposing her appeal dated 22-5-1997 which is pending before the 2nd respondent and to pass suitable orders.

No counter affidavit is forthcoming. Several other factual aspects have been narrated in detail in paras 2,3 and 4 of the affidavit filed in support of the Writ Petition.

It is represented by the learned counsel for the petitioner that the petitioner had purchased the land in dispute through registered sale deed. It is needless to say that the appellate authority may have to take into consideration the sale deed in question and also all other relevant material, which will be produced by the Writ Petitioner at the time of disposal of the appeal.

In view of the fact that an appeal had already been preferred before the 2nd respondent and the same is pending, the 2nd respondent is hereby directed to dispose of the appeal within a period of two months from the date of receipt of a copy of this order. It is hereby further directed that till the disposal of the appeal by the 2nd respondent, status quo has to be maintained.

Accordingly the Writ Petition is disposed of. No order as to costs.

P.S.Narayana, J.

23rd December, 2004.

Note:

C.C. in one week.

B/o

KM

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

- 1 The District Collector,
West Godavari District, Eluru - 534001
- 2 The Revenue Divisional Officer,
Kovvur, West Godavari District.
- 3 The Mandal Revenue Officer,
Buttayagudem Mandal, Buttayagudem West Godavari District.
4. 2CCs to G.P. for Revenue, High Court Buildings, Hyderabad (OUT)
5. 2CD copies

THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 13103 of 1997

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23rd December, 2004.

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